

clause 4, rule I, the Speaker signed the following enrolled bills on Wednesday, October 2, 1996:

H.R. 2297. An Act to codify without substantive change laws related to transportation and to improve the United States Code;

H.R. 3005. An Act to amend the Federal securities laws in order to promote efficiency and capital formation in the financial market, and to amend the Investment Company Act of 1940 to promote more efficient management of mutual funds, protect investors, and provide more effective and less burdensome regulation;

H.R. 3118. An Act to amend title 38, United States Code, to reform eligibility for health care provided by the Department of Veterans Affairs, to authorize major medical facility construction projects for the department, to improve administration of health care by the department, and for other purposes;

H.R. 3159. An Act to amend title 49, United States Code, to authorize appropriations for fiscal years 1997, 1998, and 1999 for the National Transportation Safety Board, and for other purposes; and

H.R. 3815. An Act to make technical corrections and miscellaneous amendments to trade laws.

#### ¶121.6 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 3539) "An Act to amend title 49, United States Code, to reauthorize programs of the Federal Aviation Administration, and for other purposes."

The message also announced that the Senate agrees to the amendment of the House to the amendment of the Senate to the bill (H.R. 3723) "An Act to amend title 18, United States Code, to protect proprietary economic information, and for other purposes."

#### ¶121.7 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE PRESIDENT

The SPEAKER pro tempore, Mr. WALKER, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,  
U.S. HOUSE OF REPRESENTATIVES,  
Washington, DC, October 3, 1996.

Hon. NEWT GINGRICH,  
*The Speaker, House of Representatives,*  
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 5 of rule III of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on October 2, 1996 at 6:00 p.m. and said to contain a message from the President whereby he returns without his approval, H.R. 2909, the "Silvio O. Conte National Fish and Wildlife Refuge Eminent Domain Prevention Act."

With warm regards,

ROBIN H. CARLE,  
*Clerk, U.S. House of Representatives.*

#### ¶121.8 VETO OF H.R. 2909

The Clerk then read the veto message from the President, as follows:  
*To the House of Representatives:*

I am returning herewith without my approval H.R. 2909, the "Silvio O. Conte

National Fish and Wildlife Refuge Eminent Domain Prevention Act".

This bill would prohibit the use of eminent domain authority for the protection of the public's fish and wildlife resources at portions of the Silvio O. Conte National Fish and Wildlife Refuge in the States of New Hampshire and Vermont. Because it is unnecessary and would undermine important governmental interests, I cannot support it.

First, the Conte Refuge poses no threat to property owners. Located along the Connecticut River in the States of Connecticut, Massachusetts, New Hampshire, and Vermont, it represents an entirely new kind of national wildlife refuge. Rather than relying on the traditional approach of acquiring large tracts of land, the comprehensive plan for the Conte Refuge provides that only small amounts will come into Federal ownership—a total of only 1,200 acres in New Hampshire and Vermont, along with conservation easements for an additional 760 acres. Instead of Federal land acquisition, the main emphasis for the Refuge will be on restoring the Connecticut River watershed through voluntary partnerships, cooperative agreements, and environmental education. The Fish and Wildlife Service has no intention of using its eminent domain authority.

Second, this bill would undermine a constitutionally bestowed authority of the Federal Government by prohibiting the use of eminent domain for fish and wildlife conservation. The truth is that the Fish and Wildlife Service almost never uses eminent domain for wildlife conservation purposes—on a nationwide basis, since 1989, the U.S. Fish and Wildlife Service has only used its eminent domain power with the consent of the owner to settle price or title differences. Still, eminent domain remains an important tool of last resort, to protect the public's interest in fish and wildlife resources should unforeseen circumstances arise.

Private property is a fundamental American right and value. But this bill is unnecessary and would erode a constitutional authority that has served the public interest for over 200 years. As stated during debate on this bill in the House of Representatives, H.R. 2909 is a solution in search of a problem.

WILLIAM J. CLINTON.

THE WHITE HOUSE, October 2, 1996.

The SPEAKER pro tempore, Mr. WALKER, by unanimous consent, ordered that the veto message, together with the accompanying bill, be printed (H. Doc. 104-271) and spread upon the pages of the Journal of the House.

On motion of Mr. SOLOMON, by unanimous consent, the veto message and accompanying bill were referred to the Committee on Resources.

#### ¶121.9 MESSAGE FROM THE PRESIDENT—HIGHWAY SAFETY

The SPEAKER pro tempore, Mr. WALKER, laid before the House a message from the President, which was read as follows:

*To the Congress of the United States:*

I transmit herewith the 1995 calendar year reports as prepared by the Department of Transportation on activities under the Highway Safety Act, the National Traffic and Motor Vehicle Safety Act of 1966, and the Motor Vehicle Information and Cost Savings Act of 1972, as amended.

WILLIAM J. CLINTON.

THE WHITE HOUSE, October 3, 1996.

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on Transportation and Infrastructure and the Committee on Commerce.

#### ¶121.10 RECESS—2:16 P.M.

The SPEAKER pro tempore, Mr. WALKER, pursuant to clause 12 of rule I, declared the House in recess at 2 o'clock and 16 minutes p.m., subject to the call of the Chair.

#### ¶121.11 AFTER RECESS—5:01 P.M.

The SPEAKER pro tempore, Mr. WALKER, called the House to order.

#### ¶121.12 HOUR OF MEETING

On motion of Mr. SOLOMON, by unanimous consent,

*Ordered.* That when the House adjourns today, it adjourn to meet at 2:00 p.m. on Friday, October 4, 1996.

#### ¶121.13 BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. THOMAS, from the Committee on House Oversight, reported that that committee did on the following dates present to the President, for his approval, bills and a joint resolution of the House of the following titles:

On October 2, 1996:

H.R. 543. An Act to reauthorize the National Marine Sanctuaries Act, and for other purposes;

H.R. 1734. An Act to reauthorize the National Film Preservation Board, and for other purposes;

H.J. Res. 198. Joint resolution appointing the day for the convening of the first session of the One Hundred Fifth Congress and the day for the counting in Congress of the electoral votes for President and Vice-President cast in December 1996; and

H.R. 2579. An Act to establish the National Tourism Board and the National Tourism Organization to promote international travel and tourism to the United States.

On October 3, 1996:

H.R. 2297. An Act to codify without substantive changes laws related to transportation and to improve the United States Code;

H.R. 3005. An Act to amend the Federal securities laws in order to promote efficiency and capital formation in the financial markets, and to amend the Investment Company Act of 1940 to promote more efficient management of mutual funds, protect investors, and provide more effective and less burdensome regulation;

H.R. 3118. An Act to amend title 38, United States Code, to reform eligibility for health care provided for the Department of Veterans Affairs, to authorize major medical facility construction projects for the Department, to improve administrative of health care by the Department, and for other purposes;

H.R. 3159. An Act to amend title 49, United States Code, to authorize appropriations for

fiscal years 1997, 1998, and 1999 for the National Transportation Safety Board, and for other purposes; and

H.R. 3815. An Act to make technical corrections and miscellaneous amendments to trade laws.

And then,

#### ¶121.14 ADJOURNMENT

On motion of Mr. SOLOMON, pursuant to the special order heretofore agreed to, at 5 o'clock and 2 minutes p.m., the House adjourned until 2:00 o'clock p.m. on Friday, October 4, 1996.

#### ¶121.15 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. YOUNG of Alaska: Committee on Resources. H.R. 3534. A bill to authorize the Secretary of the Interior to renew certain permits in the Mineral King Addition of the Sequoia National Park and to protect historic and cultural resources in that National Park, and for other purposes; with an amendment (Rept. No. 104-866). Referred to the Committee of the Whole House on the State of the Union.

#### ¶121.16 PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CONDIT (for himself, Mr. DOOLITTLE, Mr. CUNNINGHAM, and Mr. RADANOVICH):

H.R. 4339. A bill to amend the Clean Air Act to impose certain requirements on areas upwind of ozone nonattainment areas, and for other purposes; to the Committee on Commerce.

By Ms. DELAURO:

H.R. 4340. A bill to prohibit, in connection with the termination of Army activities at the Stratford Army Engine Plant, the expenditure of Federal funds to cover the costs of relocating a Government contractor located at that installation; to the Committee on National Security.

By Mr. SCHUMER (for himself and Mr. CONYERS):

H.R. 4341. A bill to establish felony violations for the failure to pay legal child support obligations, and for other purposes; to the Committee on the Judiciary.

By Mr. SCHUMER:

H.R. 4342. A bill to amend title 18, United States Code, to extend certain statutes of limitation: to the Committee on the Judiciary.

By Mr. UNDERWOOD:

H.R. 4343. A bill to prohibit the Secretary of Defense from making American communities noncompetitive by using shipping cost differentials attributable to the application of the Merchant Marine Act, 1920; to the Committee on National Security.

#### ¶121.17 ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 38: Mr. ANDREWS.

H.R. 609: Mr. KENNEDY of Massachusetts.

H.R. 2011: Mrs. MEEK of Florida.

H.R. 2119: Mr. BARTON of Texas.

H.R. 2522: Mr. RADANOVICH.

H.R. 2652: Ms. PELOSI.

H.R. 3078: Mr. CAMP.

H.R. 3104: Mr. CAMP.

H.R. 3277: Mrs. SEASTRAND.

H.R. 3355: Ms. DELAURO.

H.R. 3443: Mr. SCHUMER, Mr. ACKERMAN, Mr. PAYNE of New Jersey, Ms. BROWN of Florida, Mr. SPRATT, Mr. ENSIGN, Mr. OBERSTAR, and Ms. DELAURO.

H.R. 3736: Mr. TATE.

H.R. 3775: Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 4031: Mr. METCALF.

H.R. 4052: Ms. DELAURO.

H.R. 4108: Mr. DREIER.

H.R. 4145: Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 4148: Mr. KOLBE.

H.J. Res. 174: Mr. BARCIA of Michigan.

H. Res. 520: Mr. FOGLIETTA.

### FRIDAY, OCTOBER 4, 1996 (122)

#### ¶122.1 DESIGNATION OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. WALKER, who laid before the House the following communication:

WASHINGTON, DC,

October 4, 1996.

I hereby designate the Honorable ROBERT S. WALKER to act as Speaker pro tempore on this day.

NEWT GINGRICH,

*Speaker of the House of Representatives.*

#### ¶122.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. WALKER, announced he had examined and approved the Journal of the proceedings of Thursday, October 3, 1996.

Pursuant to clause 1, rule I, the Journal was approved.

#### ¶122.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XXIV, were referred as follows:

5446. A letter from the Administrator, Agricultural Marketing Service, transmitting the Service's final rule—Cranberries Grown in the States of Massachusetts, Rhode Island, Connecticut, New Jersey, Wisconsin, Michigan, Minnesota, Oregon, Washington, and Long Island in the State of New York; Assessment Rate [Docket No. FV96-929-3 FIR] received October 3, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5447. A letter from the Administrator, Agricultural Marketing Service, transmitting the Service's final rule—Irish Potatoes Grown in Certain Designated Counties In Idaho, and Malheur County, Oregon; Assessment Rate [Docket No. FV96-9 45-1 FIR] received October 3, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5448. A letter from the Acting Administrator, Agricultural Marketing Service, transmitting the Service's final rule—USDA to Eliminate Obsolete Regulations [Docket No. S&TD-96-004] received October 3, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5449. A letter from the Administrator, Agricultural Marketing Service, transmitting the Service's final rule—Dried Prunes Produced in California; Assessment Rate [Docket No. FV96-993-1 FIR] received October 3, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5450. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, transmitting the Service's final rule—Viruses, Serums, Toxins, and Analogous Products; Antibody Products

[Docket No. 92-124-2] received October 4, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5451. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, transmitting the Service's final rule—Change in Disease Status of the Czech Republic and Italy Because of Rinderpest and Foot-and-Mouth Disease [Docket No. 96-027-2] received October 4, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5452. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, transmitting the Service's final rule—Karnal Bunt [Docket No. 96-016-14] received October 4, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5453. A letter from the Under Secretary for Food, Nutrition, and Consumer Services, Department of Agriculture, transmitting the Department's final rule—Miscellaneous Farm Bill Provisions Relating to the Authorization of Retail Firms and Wholesale Food Concerns (RIN: 0584-AB02) received October 4, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5454. A letter from the Assistant Secretary for Legislative Affairs and Public Liaison, Department of the Treasury, transmitting a copy of the 17th monthly report as required by the Mexican Debt Disclosure Act of 1995, pursuant to Public Law 104-6, section 404(a) (109 Stat. 90); to the Committee on Banking and Financial Services.

5455. A letter from the Director, Office of Management and Budget, transmitting OMB's estimate of the amount of change in outlays or receipts, as the case may be, in each fiscal year through fiscal year 2002 resulting from passage of H.R. 4018, H.R. 3230, and H.R. 1642, pursuant to Public Law 101-508, section 13101(a) (104 Stat. 1388-582); to the Committee on the Budget.

5456. A letter from the Acting Assistant Deputy Secretary, Department of Labor, transmitting the Department's final rule—Permanent Replacement of Lawfully Striking Employees by Federal Contractors (RIN: 1294-AA15) received October 4, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Economic and Educational Opportunities.

5457. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Washington; Revision to the State Implementation Plan Puget Sound (Seattle-Tacoma Area) Carbon Monoxide Attainment Demonstration [FRL-5631-2] received October 4, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5458. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Maintenance Plan for Air Quality Planning Purposes for the State of Washington; Carbon Monoxide [FRL-5631-6] received October 4, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5459. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Oklahoma: Final Authorization of State Hazardous Waste Management Program Revisions [FRL-5630-4] received October 4, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5460. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Indiana: Final Full Program Determination of Adequacy of State Municipal Solid Waste Landfill Permit